

POSITION ANNOUNCEMENT

STANDING CHAPTER 13 TRUSTEE UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ALABAMA, SOUTHERN DIVISION

The United States Bankruptcy Administrator for the Northern District of Alabama invites applications from highly qualified individuals for appointment as Standing Chapter 13 Trustee. This position is available immediately. The official duty station will be located in Birmingham, Alabama. The Court holds formal hearings in the city of Birmingham, Alabama, and elsewhere as may be required.

The duties of the position are comprehensive and demanding. The Standing Chapter 13 Trustee must comply with all provisions of the United States Bankruptcy Code and Rules, and with the instructions of the Court. The Trustee must cooperate fully with the Clerk of Court and with the United States Bankruptcy Administrator. The Trustee must meet the duties of a fiduciary requiring the diligent exercise of good faith and loyalty in the administration of estates in Chapter 13 cases under the Trustee's supervision. Additionally, the Trustee must account for all property received, investigate the financial affairs of debtors, examine and object to the allowance of proofs of claim as appropriate, oppose the discharge of a debtor after confirmation of a plan as appropriate, furnish information relating to the estate and the estate's administration requested by a party in interest, except as limited by the Court, and make and furnish such reports concerning the administration of estates and final accountings as may be required by the Court, the United States Bankruptcy Administrator, and the Administrative Office of the U.S. Courts. Further, the Trustee bears responsibility for managing the office, property and financial accounts of the trusteeship, and the personnel employed by the trusteeship. The Trustee must also appear and be heard at hearings before the Court, and must complete such other duties as may be required by the Court. Those duties include, but are not limited to, a review and recommendation regarding the Debtor's Chapter 13 Plan, and the Debtor's attorney's fees, as proposed in the Plan. The Standing Chapter 13 Trustee serves at the discretion and instruction of the Court, and may be removed at any time for cause.

To be qualified for appointment, an applicant should:

1. possess integrity and good moral character;
2. be physically and mentally able to perform a trustee's duties satisfactorily;
3. be free of prejudices against any individual, entity, or group of individuals or entities which would interfere with unbiased performance of a trustee's duties;
4. not be related by affinity or consanguinity within the degree of first cousin to a Bankruptcy Judge who appoints the trustee, the U.S. Bankruptcy Administrator, a federal judicial officer (including the appointing Court of Appeals of the Circuit) or a federal court employee;
5. not be related by affinity or consanguinity within the degree of first cousin to any active member of the panel of Chapter 7 Trustees, Chapter 12 or other Chapter 13 Trustee in the Northern District of Alabama;
6. not be employed (at the time of appointment) by state county or municipal government agencies which regularly appear before the Court as creditors;
7. not be employed (at the time of appointment) by the federal government;
8. have the resources to provide timely and accurate reports required by the Court, the U.S. Bankruptcy Administrator and the Administrative Office of the U.S. Courts;
9. have one or more of the following educational, professional, or business qualifications --

- (A) be a member in good standing of at least one bar;
 - (B) be a certified public accountant;
 - (C) be a graduate from an accredited college or university with a major in a business-related field;
 - (D) have at least five years experience using skills of a nature required as a trustee, or
 - (E) have equivalent experience deemed acceptable by the Bankruptcy Court (exceptions should be made only when necessity is clearly established), and
10. exhibit by demeanor, character and personality that the applicant would be able to competently perform and discharge the duties required.

The selection process will be confidential and competitive. The Court and the U.S. Bankruptcy Administrator, or his designee(s), will review all applications and will interview, in confidence, qualified applicants for appointment to the position. Only the most qualified applicants may be selected for interview. Persons will be considered without regard to race, color, gender, religion or national origin. The Court will make the appointment with the recommendation and advice of the U.S. Bankruptcy Administrator, subject to FBI and IRS Full Field Investigations of the appointee. The Court has statutory authority to make the appointment of a Standing Chapter 13 Trustee, who is considered to be a self-employed individual for all purposes.

The annual compensation and percentage fee for a Standing Chapter 13 Trustee will be established by the Court with the recommendation of the U.S. Bankruptcy Administrator. The compensation and fee are subject to certain statutory and regulatory limits. The actual starting compensation, which may be lower than the statutory maximum, will be determined based upon the experience and qualifications of the appointee. In the Northern District of Alabama, the current amount allowed for compensation is \$130,150 and the current maximum amount allowed for benefits is \$29,935.

Applicants must submit an original and three (3) copies each of a cover letter, resumé and salary history to the United States Bankruptcy Administrator, Northern District of Alabama, 1800 Fifth Avenue, North, Suite 305, Birmingham, AL 35203. Applications must be received no later than **4:30 p.m. CST on January 30, 2004**. Applications received after that date and time will not be considered.